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Committee on Relations with the Host Country

Letter dated 26 August 2002 from the Permanent Representative of Cyprus to the United Nations and Chairman of the Committee on Relations with the Host Country addressed to the Secretariat

I have the honour to request circulation, as an official document, of the United States Parking Programme for Diplomatic Vehicles, as supplied by the Mission of the Host Country (see annex).

(*Signed*) Sotos **Zackheos**

02-53573 (E) 280802

Annex to the letter dated 26 August 2002 from the Permanent Representative of Cyprus to the United Nations and Chairman of the Committee on Relations with the Host Country addressed to the Secretariat

Parking program for diplomatic vehicles

A. SCOPE

1. This diplomatic parking program has been designed to encourage compliance by Permanent Missions to the United Nations and the United Nations Secretariat, as well as their personnel, with New York State and City of New York parking laws, rules and regulations and thereby help to relieve congestion in the City of New York, including in particular the areas surrounding the United Nations, while at the same time facilitating the conduct of the business of the Permanent Missions and the Organization. All elements of the program are essential to meet these objectives and all elements must be applied fairly and without discrimination.

2. The new Parking Program for Diplomatic Vehicles includes procedures regarding notices of parking violation issued on or after November 1, 2002. With regard to notices of parking violation issued before November 1, 2002, a voluntary program proposed by the City of New York is described in Annex I.

B. DEFINITIONS

3. For the purposes of this Parking Program:

(a) " 'D' series license plates" means license plates issued by the U.S. Department of State to diplomatic missions and those members who hold diplomatic rank;

(b) " 'A' series license plates" means license plates issued by the U.S. Department of State to official vehicles of the Secretariat of the United Nations and the personally owned vehicles of those members who have diplomatic status;

(c) " vehicle(s) subject to this program" means vehicles bearing " A" series license plates or " D" series license plates issued by the U.S. Department of State, but does not include vehicles bearing " S" series license plates issued by the U.S. Department of State;

(d) " outstanding parking violation fines" means the amounts indicated on the face of each City of New York Notice of Parking Violation; and

(e) " unanswered" means (i) unpaid or (ii) not submitted to the Diplomatic Parking Review Panel within one hundred (100) days from issuance in accordance with the procedures set forth in this Parking Program.

C. REPORTING AND RESOLUTION OF NOTICES OF PARKING VIOLATION

4. The New York City Department of Finance will continue to provide the head of each Mission and the Office of the Under Secretary General for Management in the United Nations Secretariat with a monthly report listing the outstanding notices of parking violation attributed to vehicles associated with that Mission or the United Nations Secretariat. As soon as practicable, but in no event later than the first monthly report after October 31, 2002, each monthly report will indicate in the following order for each notice of parking violation: the license plate number; the date, time and location of issuance; the notice of parking violation number; and the violation and violation code. Beginning with the first monthly report after October 31, 2002, each monthly report also will list each vehicle that has three (3) or more outstanding notices of parking violation issued on or after November 1, 2002 that are unanswered for more than one hundred (100) days from issuance or unsatisfied for more than seven (7) days after decision.

5. Any registrant of a vehicle subject to this program may contact the New York City Department of Finance for an appointment to discuss his, her or its outstanding parking violation liability by calling the Diplomatic Parking Review Panel, New York City Department of Finance, at (212) 361-8290, or by writing to the Diplomatic Parking Review Panel at 66 John Street, 3rd Floor, New York, NY 10038.

6. The New York City Department of Finance will continue to provide to the Office of Foreign Missions (New York) of the U.S. Department of State (" OFM/NY") and the United States Mission to the United Nations (" USUN/HC") a monthly report listing all outstanding notices of parking violation for vehicles subject to this program. Such report will contain the same information in the same order as that provided to the Missions and the United Nations Secretariat pursuant to paragraph 4 of this Parking Program.

7. Missions, their members and other registrants of vehicles subject to this program are expected to respond to all notices of parking violation issued by the City of New York within thirty (30) days from issuance. All registrants should pay the parking fine or contest the parking violation.

8. If a registrant of a vehicle subject to this program believes that a notice of parking violation was issued in error or is otherwise unjust, such registrant (or the head of such registrant's Mission or the Office of the Under Secretary General for Management in the United Nations Secretariat, as appropriate) may respond in writing to:

Diplomatic Parking Review Panel
City of New York
Department of Finance
66 John Street, 3rd floor
New York, New York 10038

Alternatively, a registrant may write to OFM/NY or USUN/HC if such registrant believes that a notice of parking violation was issued in error or is otherwise unjust. OFM/NY or USUN/HC will promptly transmit such response to the Diplomatic Parking Review Panel, and the Diplomatic Parking Review Panel will accept such document for review in accordance with the procedures specified herein.[1]

9. The registrant's response pursuant to paragraph 8 of this Parking Program must be in writing and state the basis for such registrant's belief that the notice of parking violation was issued in error or is otherwise unjust. To respond to a notice of parking violation, the registrant should use the Parking Violation Response Form for Diplomatic and Consular Personnel attached hereto as Annex II.

10. The Diplomatic Parking Review Panel will issue a response, with an explanation, within twenty (20) business days of receipt of a registrant's response pursuant to paragraph 8 of this Parking Program.

11. Notices of parking violation issued to vehicles subject to this program for violations that are inapplicable to such vehicles, e.g., lack of inspection, expired inspection sticker, and lack of (or obstructed) VIN, will be considered incorrectly issued and dismissed upon submission of a written defense to the Diplomatic Parking Review Panel. In addition, second and subsequent, if any, notices of parking violation issued at the same location for the same violation within one hour will be considered incorrectly issued and dismissed, provided that the first notice of parking violation was correctly issued. In the event that the first notice of parking violation is dismissed, the next notice of parking violation issued at the same location will be considered the first notice of parking violation issued for the purposes of this paragraph. This process will continue until a notice of parking violation is determined to have been correctly issued or all such notices of parking violation have been dismissed as incorrectly issued.

12. If the Diplomatic Parking Review Panel concludes that a notice of parking violation is valid, the amount due will be paid within seven (7) days of such decision, unless a notice of appeal is filed pursuant to paragraph 13 of this Parking Program.

13. If a registrant of a vehicle subject to this program believes that the Diplomatic Parking Review Panel has incorrectly concluded that a notice of parking violation is valid, such registrant (or the head of such registrant's Mission or the Office of the Under Secretary General for Management in the United Nations Secretariat, as appropriate) may file a notice of appeal. Notice of appeal may be sent to:

[1] The U.S. Department of State points out that submission of documents through OFM/NY or USUN/HC is not the most efficient or expeditious method of responding to notices of violation and is not recommended by the U.S. Department of State.

Diplomatic Parking Appeals Panel
City of New York
Department of Finance
66 John Street, 3rd Floor
New York, New York 10038

Alternatively, a notice of appeal may be sent to OFM/NY or USUN/HC. OFM/NY or USUN/HC will promptly transmit such notice of appeal to the Diplomatic Parking Appeals Panel, and the Diplomatic Parking Appeals Panel will accept such document for review in accordance with the procedures specified herein.[2]

14. The registrant's notice of appeal pursuant to paragraph 13 of this Parking Program must be: (a) in writing and accompanied by a statement setting forth the reason for the appeal and supporting documentation; and (b) received by the Diplomatic Parking Appeals Panel within thirty (30) days of the issuance of the determination by the Diplomatic Parking Review Panel. To appeal the decision of the Diplomatic Parking Review Panel, registrants should use the Notice of Parking Violation Appeal for Diplomatic and Consular Personnel attached hereto as Annex III.

15. The U.S. Department of State will take all appropriate action should a registrant abuse the appeals process.

16. The Diplomatic Parking Appeals Panel will issue a response, with an explanation, within twenty (20) business days of receipt of a notice of appeal pursuant to paragraph 13 of this Parking Program. If the Diplomatic Parking Appeals Panel concludes that a notice of parking violation is valid, the amount due will be paid within seven (7) days of such decision.

17. Nothing in this Parking Program constitutes a waiver of any privileges or immunities to which registrants may be entitled as a matter of law, nor does it constitute their acceptance of the civil or criminal jurisdiction of the City or State of New York or their respective authorities. By responding to or otherwise contesting the validity of a notice of parking violation, or appealing an adverse decision of the Diplomatic Parking Review Panel, a registrant has merely accepted the City's offer of consensual dispute resolution.

D. NON-RENEWAL AND NON-ISSUANCE OF REGISTRATIONS

18. The U.S. Department of State will not renew and not issue registrations for vehicles in the "D" and "A" series, as follows:

(a) If a vehicle ("Vehicle #1") of a registrant has three (3) or more outstanding notices of parking violation issued on or after November 1, 2002 that are unanswered for more than one hundred (100) days from issuance or unsatisfied for more than seven (7) days after decision, the U.S. Department of State will not renew the registration of such Vehicle #1. If, however, the same registrant applies for or otherwise would be issued a new or renewal

[2] See footnote 1 above.

registration for another vehicle ("Vehicle #2") before the expiration of the registration for Vehicle #1, then the U.S. Department of State will not issue or renew a registration for such Vehicle #2.

(b) Notwithstanding the above provisions in this paragraph, the U.S. Department of State will not suspend or refuse to renew or issue, as the case may be, a registration for the sole remaining vehicle registered to a Mission.

19. The U.S. Department of State will not issue a new or substitute registration for any vehicle subject to this program where the registration for such vehicle has been suspended or not renewed or issued, as the case may be, pursuant to paragraph 18 of this Parking Program, unless and until the registrant has paid, with respect to the vehicle that caused the registration suspension, non-renewal or non-issuance, all outstanding parking violation fines for all notices of parking violation unanswered for more than one hundred (100) days from issuance or unsatisfied for more than seven (7) days after decision.

20. Where a registrant of a vehicle subject to this program has responded to a notice of parking violation in a timely manner, calculation of the 100-day outstanding period that triggers the U.S. Department of State measures regarding the suspension, non-renewal or non-issuance of a vehicle's registration will be suspended until a decision is rendered and a seven (7) day period for remitting payment (if any) has passed.

21. The U.S. Department of State will recall the license plates of any vehicle subject to this program that is not properly registered or insured, and will secure the return of the license plates of such vehicles within thirty (30) days of the date of the non-renewal pursuant to paragraph 18 of this Parking Program.

22. With regard to any registrant that has had a registration not renewed or not issued in accordance with paragraph 18 of this Parking Program and has outstanding parking violation fines associated with any of his, her or its vehicles, the U.S. Department of State will apply the provisions set forth in 2 Foreign Affairs Manual 234.2 and 234.3 (www.foia.state.gov) to resolve all outstanding parking violation fines of such registrant.

E. TOWING

23. The City of New York will tow a vehicle subject to this program only when:

(a) it is parked illegally in a manner that presents a hazard to health and safety;

(b) the vehicle's registration has not been renewed or was not issued;

(c) the vehicle's license plates have been recalled by the Department of State because the vehicle is not properly registered or insured;

(d) the vehicle's registrant is no longer properly accredited or the registrant's diplomatic duties have been terminated;

(e) the vehicle displays lost or stolen license plates; or

(f) the U.S. Department of State has authorized the towing of such vehicle after inquiry from the City.

The following is the list of health and safety parking violations, for which the City of New York may tow parked vehicles without operators:

Violation Code 10	No Stopping (anytime)
Violation Code 12	No Standing (Snow Emergency)
Violation Code 14	No Standing (anytime)
Violation Code 18	No Standing (Bus Lane)
Violation Code 19	No Standing (Bus Stop)
Violation Code 25	No Standing (Commuter Van Stop)
Violation Code 27	No Parking (Except Handicap Plates/ Permits)
Violation Code 40	Fire Hydrant
Violation Code 45	Traffic Lane (No Parking, No Standing, or No Stopping)
Violation Code 46	Double Parking
Violation Code 48	Bike Lane (No Parking, No Standing, or No Stopping)
Violation Code 49	Excavation (Vehicle Obstructing Traffic)
Violation Code 50	Crosswalk (No Parking, No Standing, or No Stopping)
Violation Code 51	Sidewalk (No Parking, No Standing, or No Stopping)
Violation Code 52	Intersection (No Parking, No Standing, or No Stopping)
Violation Code 55	Tunnel/Elevated Roadway (No Parking, No Standing, or No Stopping)
Violation Code 96	Railroad Crossing
Violation Code 98	Obstructing Driveway/Pedestrian Ramp/ Curb-Cut

24. Vehicles subject to this program that are towed by the City of New York will be removed to the nearest New York City Police Department tow facility (in Manhattan such facility is on the West Side at 38th Street) for the protection of the vehicle and the respect of its registrant and the Mission involved.

25. A vehicle subject to this program that is towed will be released pursuant to the City of New York/U.S. Department of State Towed Vehicle Procedure attached hereto as Annex IV.

F. REMOVALS FOR PUBLIC HAZARDS

26. The City of New York may remove a vehicle subject to this program when it is creating a public hazard for which a notice of parking violation does not apply.

G. DIPLOMATIC PARKING SPACES AND DECALS

27. To accommodate the needs of the Permanent Missions, the City of New York will provide two designated parking spaces for each current Mission within reasonable proximity to each Mission. Such Mission parking spaces will be specifically assigned to each Mission, will be available to Missions in accordance with this Parking Program on a twenty-four (24) hour, seven (7) day per week basis, and will be identified by an appropriate unique designation. Except as provided in paragraphs 34 and 37 of this Parking Program, such Mission parking spaces may be used only by vehicles subject to this program bearing non-transferable Service Vehicle Decals.

28. If the number of Missions in the City of New York increases, the City of New York and the U.S. Department of State will discuss in good faith providing parking spaces to the additional Mission(s).

29. The City of New York will provide an additional 35 spaces to be used exclusively by vehicles subject to this program bearing non-transferable Delivery Vehicle Decals, including delivery vehicles from the Consulates in New York. The City of New York reserves the right to install parking meters for such spaces under the same terms and conditions as parking meters for commercial vehicles.

30. The location of the parking spaces in paragraph 27 and 29 of this Parking Program will be determined by the New York City Department of Transportation, in consultation with the U.S. Department of State.

31. The parking spaces will be allocated, located and ready for use by vehicles bearing the appropriate non-transferable decal in accordance with this Parking Program by November 1, 2002.

32. Each Mission may designate two vehicles with " D" series license plates and the United Nations may designate two vehicles with " A" series license plates that will be issued, by the City of New York, a non-transferable Service Vehicle Decal authorizing such vehicle to be treated like a for-hire vehicle while actively engaged in and for the purpose of expeditiously picking up or discharging passengers, in a manner that does not obstruct traffic, provided that such vehicle bearing a non-transferable Service Vehicle Decal may not pick up or discharge passengers in a for-hire vehicle stop, and provided further that the operator of such vehicle remains in attendance at the vehicle and shall immediately remove such vehicle when instructed to do so by any law enforcement officer.

33. The driver of a vehicle bearing a non-transferable Service Vehicle Decal may wait only in:

(a) an area where the driver of an ordinary passenger vehicle is permitted to wait;

(b) a parking space assigned to his or her own Mission; or

(c) a parking space assigned to another Mission or Consulate, with the permission of such Mission or Consulate.

34. Any Mission that loses a parking space pursuant to paragraph 42 of this Parking Program also will lose a Service Vehicle Decal for each parking space such Mission loses. If such parking space is restored in accordance with this Parking Program, then such Service Vehicle Decal will be restored, at the same time.

35. Each Mission may designate one vehicle with " D" series license plates and the United Nations may designate two vehicles with " A" series license plates that will be issued, by the City of New York, a non-transferable Delivery Vehicle Decal authorizing such vehicle to stand temporarily (no more than thirty (30) minutes) for the purpose of and while actually engaged in delivering, loading or unloading for official business in:

(a) the parking space or spaces assigned to such Mission;

(b) the parking space or spaces of the Mission or Consulate to which the delivery is being made, with the permission of such Mission or Consulate; or

(c) the 35 spaces designated for exclusive use by vehicles bearing non-transferable Delivery Vehicle Decals.

36. A non-transferable Delivery Vehicle Decal will be issued upon satisfactory certification by the registrant/applicant that the registrant/applicant has arranged for reserved off-street parking for such vehicle in a garage or other legal parking. When not in delivery service, such vehicles must park in such off-street or other legal parking spaces.

37. The decal program will take effect, as follows:

(a) on November 1, 2002 for a registrant/applicant that submits to the New York City Department of Finance the designation required by either paragraph 32 or paragraph 35 of this Parking Program and, if required, satisfactory certification in accordance with paragraph 36 of this Parking Program on or before October 1, 2002;

(b) for a registrant/applicant that submits to the New York City Department of Finance the designation required by either paragraph 32 or paragraph 35 of this Parking Program and, if required, satisfactory certification in accordance with paragraph 36 of this Parking Program from October 2, 2002 through October 31, 2002, thirty (30) days after such submission;

(c) for a registrant/applicant that submits to the New York City Department of Finance the designation required by either paragraph 32 or paragraph 35 of this Parking Program and, if required, satisfactory certification in accordance with paragraph 36 of this Parking Program after October 31, 2002, fifteen (15) days after submission or December 1, 2002, whichever is later; and

(d) for a registrant/applicant transferring a decal to a different vehicle, within ten (10) business days after submission of the designation required by either paragraph 32 or paragraph 35 of this Parking Program and, if required, satisfactory certification in accordance with paragraph 36 of this Parking Program, provided that neither the vehicle such designation is being transferred to nor the vehicle such designation is being transferred from has three (3) or more outstanding notices of parking violation unanswered for more than one hundred (100) days from issuance or unsatisfied for more than seven (7) days after decision. Such designations shall be made in a form determined by the New York City Department of Finance or other agency of the City of New York designated for such purpose.

38. If a vehicle bearing a non-transferable Service Vehicle Decal or a non-transferable Delivery Vehicle Decal is out-of-service, the Mission or the United Nations, as the case may be, may designate, for a period not to exceed five (5) business days, a vehicle that will be deemed to possess, during such period, such non-transferable Service Vehicle Decal or non-transferable Delivery Vehicle Decal. A temporary designation under this paragraph must be submitted in writing to the New York City Commission for the United Nations. The Commission will not accept such temporary designation if either the out-of-service vehicle or the temporarily designated vehicle has three (3) or more outstanding notices of parking violation unanswered for more than one hundred (100) days from issuance or unsatisfied for more than seven (7) days after decision. Such temporary designation will not take effect until acknowledged in writing by the Commission. Such temporary designation will expire immediately upon the earlier of (i) the expiration of the period of time set forth in the designation - not to exceed five (5) business days - or (ii) the return to service of the out-of-service vehicle. Such temporary designation may be renewed for just cause in accordance with the provisions of this paragraph for successive periods not to exceed five (5) business days each. The Mission or the United Nations, as the case may be, will immediately notify the Commission in writing of the return to service of the out-of-service vehicle. If a vehicle deemed to possess a non-transferable Service Vehicle Decal or non-transferable Delivery Vehicle Decal under this paragraph is issued a notice of parking violation during the period of time the temporary designation is in effect, and such notice of parking violation would be dismissed had the vehicle in fact possessed a non-transferable Service Vehicle Decal or non-transferable Delivery Vehicle Decal, then such notice of parking violation will be considered incorrectly issued and dismissed upon submission of a written defense to the Diplomatic Parking Review Panel.

The U.S. Department of State will take all appropriate action should a Mission or the United Nations abuse the use of temporary designations.

39. Any Mission may dual-designate its vehicle, if it has only one vehicle, or one of its vehicles, if it has more than one vehicle, as both its service vehicle and its delivery vehicle, and affix both a non-transferable Service Vehicle Decal and a non-transferable Delivery Vehicle Decal to such vehicle and such dual-designated vehicle may park in such Mission's designated parking space or spaces.

40. In the event that a vehicle with a non-transferable Service Vehicle Decal or a non-transferable Delivery Vehicle Decal is issued a notice of parking violation, such notice of parking violation will be dismissed pursuant to paragraph 11 of this Parking Program if it was issued in error or is otherwise unjust, including a showing of an allowable use pursuant to this Section G.

41. A Service Vehicle Decal or a Delivery Vehicle Decal may be withdrawn and the privileges associated therewith may be cancelled by the City of New York at any time, following consultation among the New York City Commission for the United Nations, the U.S. Department of State, the New York City Department of Finance and the affected entity (i.e., the Mission or the United Nations), if such privileges are abused.

42. The parking spaces provided by the City of New York under paragraph 27 of this Parking Program are subject to the following conditions:

(a) The number of Mission parking spaces is subject to reduction, no earlier than ten (10) business days after notification to the U.S. Department of State, as follows:

(1) the total number of Mission parking spaces provided by the City of New York may be reduced by one for each Mission that has 40 to 64 outstanding notices of parking violation that (i) were issued on or after November 1, 2002 to vehicles with " D" series license plates registered to such Mission or such Mission's personnel, and (ii) are unanswered for more than one hundred (100) days from issuance or unsatisfied for more than seven (7) days after decision; and

(2) the total number of Mission parking spaces provided by the City of New York may be reduced by two for each Mission that has 65 or more outstanding notices of parking violation that (i) were issued on or after November 1, 2002 to vehicles with " D" series license plates registered to such Mission or such Mission's personnel, and (ii) are unanswered for more than one hundred (100) days from issuance or unsatisfied for more than seven (7) days after decision, provided that the loss of a second space will not occur before August 1, 2003.

(b) Any Mission parking space or spaces removed pursuant to this paragraph will be restored within 15 days upon the payment by the affected Mission of (as of the date the Mission requests restoration):

(1) all outstanding parking violation fines of the vehicles with " D" series license plates registered to such Mission and such Mission's personnel for notices of parking violation issued on or after November 1,

2002 and unanswered for more than one hundred (100) days from issuance or unsatisfied for more than seven (7) days after decision; and

(2) all costs incurred by the City of New York associated with the restoration of such parking space or spaces, which is currently estimated to be three hundred (300) dollars.

43. Missions and other registrants of vehicles subject to this program will surrender to the City of New York, by October 31, 2002, all non-handicap placards that were issued to such Missions before November 1, 2002. All such non-handicap placards shall be invalid on and after November 1, 2002.

44. If a Mission observes an unauthorized non-diplomatic vehicle in its designated space(s), it may call the NYPD Traffic Management Center at (718) 706-6062 to report the vehicle and have the vehicle issued a notice of parking violation and removed. The Mission may also wish to send an electronic message to the United States Mission (unparking@state.gov) or to OFM/NY (ofmnycparking@state.gov) The caller should report the color, make, model, license plate number and exact location of the vehicle. The Traffic Management Center operator will immediately contact the local precinct to request that a police officer be promptly dispatched to issue a notice of parking violation to the unauthorized non-diplomatic vehicle. The Traffic Management Center operator will, after contacting the local precinct, immediately contact the local tow facility to request that the first available tow truck be dispatched to remove the unauthorized non-diplomatic vehicle. Any complaints with regard to this hotline should be made in writing to the New York City Commission for the United Nations, with copies to OFM/NY and USUN/HC, and should contain particular information.

H. ORIENTATION

45. USUN/HC, OFM/NY, the New York City Department of Finance and the New York City Commission for the United Nations will co-chair and/or participate in orientation sessions, as needed, to answer questions that may arise as a result of the implementation of this Parking Program.

46. The New York City Police Department will develop appropriate directives for all police officers and traffic enforcement agents. Police officers and traffic enforcement agents will continue to extend every courtesy and consideration to vehicles bearing non-transferable Service Vehicle Decals.

47. The New York City Commission for the United Nations, the New York City Department of Finance, OFM/NY and USUN/HC will be available to answer questions from diplomats and other registrants of vehicles with respect to this Parking Program.

I. RESERVATION OF RIGHTS AND RESPONISBILITIES

48. This Parking Program does not affect a registrant's rights, responsibilities, privileges and liabilities under applicable domestic and international law, and does not affect the City of New York or the U.S. Department of State's rights under applicable law.

Appendix I

Handling of notices of parking violation issued before November 1, 2002 for diplomatic vehicles

The City of New York will provide an opportunity for the United Nations Secretariat or any Mission to resolve all outstanding parking violation liability resulting from notices of parking violation issued before November 1, 2002 to vehicles with "A" or "D" series license plates (as the case may be) registered to such entity and such entity's personnel according to the formula outlined below.

The United Nations Secretariat or any Mission with such outstanding parking violation liability may satisfy such outstanding parking violation liability, as follows:

(1) payment of 60% of such outstanding parking violation liability by September 30, 2002; or

(2) payment of 65% of such outstanding parking violation liability by October 31, 2002; or

(3) payment of 70% of such outstanding parking violation liability by November 30, 2002; or

(4) payment of 75% of such outstanding parking violation liability by December 31, 2002.

If the United Nations Secretariat or any Mission does not resolve its outstanding parking violation liability in the above manner, the New York City Department of Finance and the U.S. Department of State will review outstanding notices of parking violation issued during the period beginning April 1, 1997 and ending October 31, 2002 to determine the validity of such outstanding notices of parking violation.

The U.S. Department of State will apply the provisions set forth in 2 Foreign Affairs Manual 234.2 and 234.3 to resolve all outstanding parking violation fines (i.e., the amounts indicated on the face of each City of New York Notice of Parking Violation) determined to be due.

For the purposes of this Annex, "outstanding parking violation liability" means parking fines (i.e., the amounts indicated on the face of each City of New York Notice of Parking Violation), plus penalties and interest arising from notices of parking violation issued during the period beginning April 1, 1997 and ending October 31, 2002.

Appendix II

Parking violation response form for diplomatic and consular personnel

FINANCE
NEW • YORK
THE CITY OF NEW YORK
DEPARTMENT OF FINANCE

PARKING VIOLATION RESPONSE FORM
FOR DIPLOMATIC AND CONSULAR PERSONNEL

REMIT TO: DIPLOMATIC PARKING REVIEW PANEL, NYC DEPT. OF FINANCE
66 JOHN STREET, 3RD FLOOR, NEW YORK, NY 10038

This form is provided to diplomatic and consular officials and their staff to assist in responding to a notice of parking violation issued to vehicles with Department of State issued license plates. Please complete all sections below and submit this form to the address above within thirty (30) days of the date the notice of parking violation was issued. Include with this form the original notice of parking violation received along with any supporting documentation. Keep copies of everything you submit. If you have questions or require further assistance, call the Department of Finance Diplomatic Parking Review Panel at 718-361-8296.

PART 1 REGISTRANT INFORMATION

Last Name: _____ First Name: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Daytime Telephone: _____ Mission/Consulate: _____

PART 2 VEHICLE AND NOTICE OF VIOLATION INFORMATION

CHECK ONE:

I am: ☐ the Vehicle Registrant ☐ the Vehicle Operator ☐ a Representative of the Registrant/Operator

Vehicle Plate No. _____ Vehicle Make: _____ Number of notices contesting: _____

FILL IN EACH NOTICE NUMBER BELOW. ATTACH SEPARATE SHEET IF NECESSARY

Notice of Violation No. 1 ___ ___ ___ ___ ___ ___ ___ ___ ___ ___

Notice of Violation No. 2 ___ ___ ___ ___ ___ ___ ___ ___ ___ ___

Notice of Violation No. 3 ___ ___ ___ ___ ___ ___ ___ ___ ___ ___

PART 3 REVIEW PANEL INFORMATION

CHECK ONE and then COMPLETE EITHER A or B:

I want to contest the notice(s) above: ☐ In person (complete A) ☐ By Mail (complete B)

A. IN-PERSON -- Scheduled by appointment. Please check both the day and time you prefer. You will receive written confirmation of your scheduled appointment.

☐ Monday	☐ Tuesday	☐ Wednesday	☐ Thursday	☐ Friday
☐ 9am-10am	☐ 10am-11am	☐ 11am-12am	☐ 2pm-3pm	☐ 3pm-4pm

B. BY MAIL: Please print a clear and complete statement of why you believe you are not responsible. Include the original notice(s) along with any supporting evidence (statements of witnesses, photographs, diagrams, etc.) Attach additional sheets if necessary.

_____

_____

_____

_____

_____

_____

_____

_____

How do you want to receive the decision: ☐ By Mail ☐ By Fax -- No. _____

REGISTRANT'S SIGNATURE: _____ **DATE:** _____

AUTHORIZED AGENT'S SIGNATURE: _____ **DATE:** _____
(if different from registrant)

NOTE: Submitting a response to the Diplomatic Parking Review Panel or the Diplomatic Parking Appeals Panel does not constitute a waiver of any privileges or immunities to which the registrant may be entitled, nor does it constitute its acceptance of the civil or criminal jurisdiction of the City or State of New York or their respective authorities. By responding to or otherwise contesting the validity of a notice of parking violation, or appealing an adverse decision of the Diplomatic Parking Review Panel, a registrant has merely accepted the City's offer of consensual dispute resolution.

Appendix III

Notice of parking violation appeal for diplomatic and consular personnel

FINANCE
NEW YORK

NOTICE OF PARKING VIOLATION APPEAL
FOR DIPLOMATIC & CONSULAR PERSONNEL

Read the instructions on the reverse first and then complete all sections below. Keep copies of everything you submit.

1. REGISTRANT INFORMATION (PLEASE PRINT)
Name:_____

Address:_____

Apt.:_____City:_____

State: _____Zip Code:_____

Daytime Phone: (____)_____

HOW DO YOU WISH TO APPEAL? (Check one)
☐ By fax. ☐ In person. ☐ By mail. ☐ By telephone.
Please give us the number you wish us to call to conduct the Appeal: (____)_____
For Telephone and In-Person Review, we will schedule an appointment for you. Please check **the day** you would prefer:
☐ Monday ☐ Tuesday ☐ Wednesday
☐ Thursday ☐ Friday.
and **the time** you would prefer:
Between: ☐ 9am-10am ☐ 10am-11am ☐ 11am-12pm
☐ 2pm- 3pm ☐ 3pm- 4pm.
HOW DO YOU WANT TO RECEIVE YOUR DECISION?
(Check one.) ☐ By mail. ☐ By fax.
Please indicate the fax number you wish us to use:
(____)_____

2. VEHICLE AND NOTICE INFORMATION (CHECK ONE)
I am: ☐ the Registrant ☐ the Operator
☐ a Representative of the Registrant or Operator.

Vehicle Plate #: _____

Make: _____

Consulate/Mission:_____

WHAT IS THE ORIGINAL DECISION DATE?
____/____/____

THE AMOUNT PAID, IF APPLICABLE? $_____

HOW MANY NOTICE(S) ARE YOU APPEALING?_____.
Fill in each notice number below.

_____|_|_|_|_|_|_|_|_|_|_|

_____|_|_|_|_|_|_|_|_|_|_|

_____|_|_|_|_|_|_|_|_|_|_|

3. WHY DO YOU THINK THE DECISION SHOULD BE REVIEWED? (Attach all evidence submitted with your original claim and any additional evidence you wish to include. Print clearly and use additional sheets if needed.)

_____

_____

_____

_____

_____

4. REGISTRANT'S SIGNATURE:_____**Date:**_____

5. ACKNOWLEDGEMENT: AUTHORIZED AGENT'S SIGNATURE (if different from Registrant's):
_____**Date:**_____

6. REFUND APPLICATION, IF APPLICABLE: If your appeal is successful, your payment(s) will be refunded to the above address. You will receive your check or other notification approximately 90 days from the decision date.

7. PLEASE NOTE: In order to process your Appeal, we require the following (one set for each license plate), along with this Notice of Appeal form, completed and signed:

A. A copy of the original Determination (the Decision) and a copy of the Motion to Vacate Judgment (if applicable);
B. The original notice(s) of parking violation or a microfilm copy of each (if available); and,
C. If you are an **unpaid representative** of the Registrant and the **Notices are in judgment**, we also require either a notarized Motion To Vacate Judgment signed by the Registrant; or a notarized letter of authorization from that Registrant. If you are an **unpaid representative** of the Registrant and **the Notices are not in judgment**, we also require written authorization from the Registrant.

INSTRUCTIONS FOR APPEALING A DECISION

PROCEDURES FOR REQUESTING AN APPEAL OF THE DECISION THAT A NOTICE OF PARKING VIOLATION IS VALID

You may request an appeal of a decision that a notice of parking violation is valid rendered by the Department of Finance Diplomatic Parking Review Panel by filing The Notice of Appeal on the reverse. You must request this appeal within 30 days of the decision date, and you must be the Registered Owner (Registrant)/Operator of the vehicle or an Authorized Representative thereof. (For information concerning unpaid representatives, see "7C" on the reverse.)

Appeals are conducted by mail, in person, over the telephone or by fax. Appeals by telephone and in person are scheduled between 9am and 4pm, Monday through Friday. We will schedule your appointment upon submission of your signed, completed Notice of Appeal upon which either "I wish to appeal by telephone" or "I wish to appear in person" has been checked off. You will then be notified in writing of the time and date of your review. If you cannot make this appointment, you must notify Diplomatic Parking Appeals Panel in writing at least 3 days before your review date.

	If You Have Not Yet Paid:	**If You Have Previously Paid:**
Send Your Notice of Appeal to:	NYC Department of Finance Diplomatic Parking Appeals Panel P.O. Box 2030, Peck Slip Station New York, NY 10272-2030	NYC Department of Finance Diplomatic Parking Appeals Panel P.O. Box 29021 Cadman Plaza Station Brooklyn, NY 11202-9021
Fax Your Notice of Appeal to:	(212) 361-8233	(212) 361-5999

If you do not send the required documentation or if your form is unsigned, either by you and/or the registered owner, your papers will be returned to you and your Appeal will not be processed. **If you have any questions,** you may call **the Diplomatic Parking Appeal Panel Help Line, Monday through Friday, 9am-5pm, at: (718) 422-7800, TTY: (718) 802-3555, Out of State: (800) (813-9183),** to speak with an operator or the **Diplomatic Parking Appeals Panel at (212) 361-8296.**

NOTE: Submitting a response to the Diplomatic Parking Review Panel or the Diplomatic Parking Appeals Panel does not constitute a waiver of any privileges or immunities to which the registrant may be entitled, nor does it constitute their acceptance of the civil or criminal jurisdiction of the City or State of New York or their respective authorities. By responding to or otherwise contesting the validity of a notice of parking violation, or appealing an adverse decision of the Diplomatic Parking Review Panel, a registrant has merely accepted the City's offer of consensual dispute resolution.

Appendix IV

City of New York/United States Department of State towed vehicle procedure

For reasons set forth in the Parking Program, the City of New York may tow vehicles licensed by the U. S. Department of State. Such vehicles will be released by the City of New York upon request of OFM/NY provided the following:

(1) The vehicle is owned or leased by a diplomat, a consular officer, a Mission, a Consulate, a United Nations official with diplomatic status ("UN Official") or the United Nations. (If OFM does not have current insurance information, proof of insurance must be presented to OFM/NY before the release is requested.)

(2) If the vehicle is a rental, the rental agreement must be signed by a diplomat, a consular officer or a UN Official, and OFM/NY must receive a copy of that rental agreement for verification. A copy of the rental agreement must also be presented at the towing facility.

Such vehicles will be released without precondition of payment of parking fines, penalties or interest, or payment of towing, storage and other applicable fees.

OFM/NY will not request release for:

(1) Any vehicle registered to persons or entities other than diplomats, consular officers, Missions, Consulates, UN Officials and the United Nations.

(2) A vehicle registered to a private citizen that is "rented by" or "on loan to" a diplomat, consular officer, Mission, Consulate, UN Official or the United Nations, even if a written agreement for such use exists.

(3) A vehicle whose description does not match that of the vehicle for which U.S. Department of State plates were issued.

Callers regarding such vehicles will be instructed to contact New York City Department of Finance HelpLine at (718) 422-7800 for routine handling.

A vehicle that is not properly registered and/or not properly insured will not be permitted to be removed from a tow facility, except that the registrant may arrange for such vehicle to be towed from the tow facility to a location where such vehicle legally may be stored. No vehicle, including a vehicle with Department of State license plates, may be operated in the City of New York unless it is properly registered and properly insured under the requirements of the appropriate authority.

Obtaining the Tow's Voucher Number

If a vehicle has been towed in Manhattan, the registrant or his/her/its representative should first call (212) 971-0770 or 971-0773 to confirm the vehicle is on site at the tow facility. The caller should be prepared to describe the vehicle using the license plate number and the color, make, model and year of the vehicle. The caller should then request the voucher number of the towed vehicle. Once the voucher number is obtained, the caller may contact OFM/NY to request release of any vehicle that OFM/NY determines meets the criteria contained in this Annex.

During Normal Working Hours

During normal working hours (Monday through Friday, 8 A.M. to 5 P.M.), the caller should contact OFM/NY's tow-release line at (212) 826-4504 and leave a message with the voucher number, license plate number, vehicle description (color, make, model and year), the location and approximate time of towing, and a call back number. Failure to leave the necessary information will cause delays.

OFM/NY will arrange, with the City of New York, the release of any vehicle that it determines meets the criteria contained in this Annex. The release normally takes approximately an hour to process.

Outside Normal Working Hours

Outside normal working hours, OFM/NY's tow-release program operates on a beeper system. After obtaining the voucher number (above), the caller should dial (917) 269-0603 and, after the tone, enter a telephone number to be contacted. The OFM/NY duty officer will then call that number and solicit the necessary information.

Obtaining the Vehicle

After the release of a vehicle is requested, the registrant or his/her/its representative should proceed to the towing facility to obtain the vehicle. The facility for all Manhattan tows is located at Pier 76, on 12th Avenue at approximately 38th Street. Persons seeking the release of vehicles should bring their driver's license and other identification with them, as well as the applicable license plate number and voucher number.

Upon entering the facility, the registrant or his/her/its representative should ask to see the Window Supervisor for a diplomatic release. Proof of current registration and insurance must be presented to the Window Supervisor at the tow facility before such vehicle will be allowed to be driven away from the tow facility. If proof of registration and insurance cannot be provided to the Window Supervisor, the registrant or his/her/its representative must arrange for removal of the vehicle from the tow facility by other means.

Boroughs Outside Manhattan

On rare occasions, vehicles may be towed in other boroughs or from one borough to a tow facility in another borough. The only changes to the procedure involve the telephone number to call to obtain the voucher number, and the location of the facility. The various telephone numbers are listed below. When requesting the voucher number, the caller should also ask for directions to the tow facility in question.

Bronx:	(718) 585-1385 or 585-0839
Queens:	(718) 786-7136
Brooklyn:	(718) 694-0697
Staten Island:	(718) 876-5301

Towing at Airports

Most tows at the various airports are done by private contractors at the request of the airline. Such tows are considered to have occurred on private property and towing charges must be paid under all circumstances to obtain the vehicle's release.

In some instances, the tow is done by the Port Authority Police, in which case a free release of the vehicle may be available. To obtain information regarding either possibility at the airports, call the Port Authority Police at the following numbers:

JFK:	(718) 244-4335
La Guardia:	(718) 533-3900
Newark:	(973) 961-6230